



Substitute House Bill No. 6552

Public Act No. 09-198

AN ACT BANNING THE POSSESSION OF POTENTIALLY DANGEROUS ANIMALS AND THE IMPORTATION, POSSESSION AND LIBERATION OF CERTAIN WILD ANIMALS, ALLOWING THE IMPORTATION OF REINDEER AND BANNING INTERNET HUNTING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 26-40a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

(a) No person shall possess a potentially dangerous animal. For the purposes of this section, the following wildlife, or any hybrid thereof, shall be considered [as] potentially dangerous animals:

(1) The felidae, including, but not limited to, the lion, leopard, cheetah, jaguar, ocelot, jaguarundi cat, puma, lynx and bobcat; the

(2) The canidae, including, but not limited to, the wolf, and coyote; [and the]

(3) The ursidae, including, but not limited to, the black bear, grizzly bear and brown bear; [. No person shall possess a potentially dangerous animal.] and

(4) The hominidae, including, but not limited to, the gorilla,

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chimpanzee and orangutan.

(b) A primate that weighs less than thirty-five pounds at maturity and that was imported or possessed by a person in this state prior to October 1, 2003, shall not be considered a potentially dangerous animal pursuant to this section.

(c) Any such animal illegally possessed may be ordered seized and may be relocated or disposed of as determined by the Commissioner of Environmental Protection. The Department of Environmental Protection shall issue a bill to the owner or person in illegal possession of such potentially dangerous animal for all costs of seizure, care, maintenance, [and] relocation or disposal of such animal. Additionally, any person who violates any provision of this section shall be assessed a civil penalty not to exceed [one] two thousand dollars, to be fixed by the court, for each offense. Each violation shall be a separate and distinct offense and in the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. The Commissioner of Environmental Protection may request the Attorney General to institute an action in Superior Court to recover such penalty and any amounts owed pursuant to a bill issued in accordance with this section and for an order providing such equitable and injunctive relief as the court deems appropriate.

(d) The provisions of this section shall not apply to municipal parks, zoos, [and] accredited by the Association of Zoos and Aquariums or the Zoological Association of America, public nonprofit aquaria, nature centers, [or] museums, or exhibitors licensed or registered with the United States Department of Agriculture or laboratories and research facilities maintained by scientific or educational institutions [;] licensed or registered with the United States Department of Agriculture or to a person possessing a Bengal cat certified by an internationally recognized multiple-cat domestic feline breeding association as being without wild parentage for a minimum of four

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prior generations which cat was registered with the Commissioner of Agriculture on or before October 1, 1996, provided no such cat may be imported into this state after June 6, 1996. [; or to persons possessing animals legally on or before May 23, 1983.] In any action taken by any official of the state or any municipality to control rabies, a Bengal cat shall be considered not vaccinated for rabies in accordance with accepted veterinary practice.

(e) Any person who wilfully violates any provision of subsection (a) of this section shall be guilty of a class A misdemeanor.

Sec. 2. Section 26-55 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2009*):

[No] (a) Except as provided in subsection (c) of this section, no person shall import or introduce into the state, or possess or liberate therein, any live fish, wild bird, wild mammal, reptile, amphibian or invertebrate unless such person has obtained a permit therefor from the commissioner. [, provided nothing in this section shall be construed to require such permit for any primate species that weighs not more than fifty pounds at maturity that was imported or possessed in the state prior to October 1, 2003.] Such permit may be issued at the discretion of the commissioner under such regulations as the commissioner may prescribe. The commissioner [may] shall by regulation prescribe the numbers of live fish, wild birds, wild mammals, reptiles, amphibians or invertebrates of certain species which may be imported, possessed, introduced into the state or liberated therein. The commissioner may by regulation exempt certain species or groups of live fish from the permit requirements. The commissioner [may] shall by regulation determine which species of wild birds, wild mammals, reptiles, amphibians or invertebrates must meet permit requirements. The commissioner may totally prohibit the importation, possession, introduction into the state or liberation therein of certain species which the commissioner has determined may

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be a potential threat to humans, agricultural crops or established species of plants, fish, birds, mammals, reptiles, amphibians or invertebrates. The commissioner [may] shall by regulation exempt from permit requirements organizations or institutions such as municipal parks, zoos, laboratories and research [laboratories, colleges or universities] facilities maintained by scientific or educational institutions, museums, public nonprofit aquaria or nature centers where live fish, wild birds, wild mammals, reptiles, amphibians or invertebrates are held in strict confinement.

(b) Any such fish, bird, mammal, reptile, amphibian or invertebrate illegally imported into the state or illegally possessed therein [shall] may be seized by any representative of the Department of Environmental Protection and [shall] may be relocated or disposed of as determined by the commissioner. [Any person, except as provided in section 26-55a, who violates any provision of this section or any regulation issued by the commissioner as provided in this section shall be guilty of an infraction. Importation, liberation or possession of each fish, wild bird, wild mammal, reptile, amphibian or invertebrate in violation of this section or such regulation shall be a separate and distinct offense and, in the case of a continuing violation, each day of continuance thereof shall be deemed to be a separate and distinct offense.] The Department of Environmental Protection shall issue a bill to the owner or person in illegal possession of such animal for all costs of seizure, care, maintenance, relocation or disposal for such animal.

(c) Any person who violates any provision of this section or any regulation adopted by the commissioner pursuant to this section shall be assessed a civil penalty not to exceed one thousand dollars, to be fixed by the court, for each offense. Each violation shall be a separate and distinct offense. In the case of a continuing violation, each day's continuance thereof shall be deemed to be a separate and distinct offense. The Commissioner of Environmental Protection may request

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the Attorney General to institute an action in Superior Court to recover such civil penalty and any amounts owed pursuant to a bill issued in accordance with subsection (b) of this section and for an order providing such equitable and injunctive relief as the court deems appropriate.

(d) Any person who wilfully violates any provision of this section or any regulation adopted by the commissioner pursuant to this section shall be guilty of a class C misdemeanor.

Sec. 3. (NEW) (*Effective July 1, 2009*) Any person may import one or more reindeer into the state during the period commencing on Thanksgiving Day of each year and ending on the immediately following New Year's Day, provided (1) any reindeer so imported is subsequently exported from the state no later than a week following the end of such period, and (2) such importation complies with the following requirements: Each reindeer so imported (A) is individually identified by a permanent metal ear tag, legible tattoo or microchip, (B) possesses a certified veterinary report of inspection documenting an inspection that occurred at least one day and not more than thirty days prior to entry into the state, (C) possesses documentation that verifies such reindeer (i) comes from a herd that is free of both tuberculosis and brucellosis, or (ii) tested negative for tuberculosis and brucellosis at least one day and not more than thirty days prior to entry into the state, and (D) possesses documentation that the originating herd participated in a state chronic wasting disease monitoring program (i) not less than the prior three years if from a state or province not known to have chronic wasting disease, or (ii) not less than the prior five years if from a state or province known to have chronic wasting disease outbreaks.

Sec. 4. (NEW) (*Effective October 1, 2009*) (a) No person shall operate, provide, sell, use or offer to operate, provide, sell or use any computer software or service in this state that allows a person, when not

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physically present, to remotely control a firearm or weapon to hunt a live animal or bird.

(b) Any person who violates subsection (a) of this section shall be guilty of a class A misdemeanor.

Approved July 8, 2009